

Lyle S. Hosoda & Associates
 345 Queen St., Ste. 804
 Honolulu HI 96813

Invoice submitted to:
 Louis J. Price, Esq.
 McAfee & Taft
 211 N. Robinson Ave., 10th Floor
 Oklahoma City OK 73102

June 8, 2005

Invoice #11711

Professional services

	<u>Hrs/Rate</u>	<u>Amount</u>
<u>LHO</u>		
5/2/05 Review Plaintiff's discovery requests to Guidance; Draft status report to clients; Prepare for and attend conference call with Judge Mollway; Draft and exchange emails with defense counsel; Draft opposition to Iowa Telecomm documents	4.40 200.00/hr	880.00
5/3/05 Exchange emails re: Expert report; Review Dr. Johnson reports; Review documents from mainland witnesses; Reivew amended rule 16 scheduling order; Conference call with E. Liebeler, D. Capozzola, L. Smith, R. Mead and expert M. Walker; Conference call with M. Dillon, L. Smith and R. Mead re: Ex. 34; Place telephone call to and email T. Noa re: Ex. 35	4.50 200.00/hr	900.00

Louis J. Price, Esq.

Page 2

	<u>Hrs/Rate</u>	<u>Amount</u>
5/4/05 Exchange email re: Y. Hata; Exchange email re: Expert report/depositions; Review and finalize opposition re: Iowa Telecomm; Prepare for Dr. Johnson deposition; Prepare for Plaintiff's deposition; Review and finalize responses of M. Dillon to M. Walker	4.20 200.00/hr	840.00
5/5/05 Work with M. Dillon in preparing information to provide to expert witness; Work with defense counsel to prepare for upcoming depositions of Plaintiff, Y. Hata and expert witnesses; Exchange email correspondence with counsel re: Scheduling attendance at depositions, protective orders and witness preparation; Place telephone call to Special Master/Judge Mollway re: Iowa Telecomm documents; Deliver the same to Judge Mollway	7.00 225.00/hr	1,575.00
5/6/05 Place telephone call to L. Smith re: Exh 34; Place telephone call to P. Lee re: Y. Hata deposition; Review C&S joinder in PCT's opposition to protective order motion; Place telephone call to D. Capozzola re: Y. Hata/Exh. 34/27; Review Ex 34 and 27/M. Dillon responses; Prepare for Dr. Johnson deposition; Prepare for T. Ueno deposition; Meet with Aux partners counsel; Preprae documents	4.40 200.00/hr	880.00
5/7/05 Prepare for depositions	2.00 200.00/hr	400.00

Louis J. Price, Esq.

Page 3

	<u>Hrs/Rate</u>	<u>Amount</u>
5/9/05 Review PCT- subpoenas of records; Review statement of appeal of Am Sch. Order; Emails to defense counsel re: Protective Order; Review exhibit 34/exh 27 explanation; Prepare for deposition of T. Ueno; Prepare for deposition of Y. Hata; Prepare for deposition of Plaintiff's expert; Review documents produced by plaintiff	3.70 200.00/hr	740.00
5/10/05 Review Judge Mollway order affirming order; Protective Order; Conference call with defense counsel and M. Walker; Conference call with defense counsel and M. Dillon; Review documents; Prepare for deposition of Y. Hata and Dr. Johnson	4.50 200.00/hr	900.00
5/11/05 Exchange emails with L. Smith and M. Dillon re: Bill of Lading; Strategize and consider HEX/HES settlement; Exchange emails re: Status of mediation; Conference call with L. Smith, D. Capozzola, R. Mead and M. Walker re: Ex 34 and Ex 27 explanation; Review documents and prepare for depositions of Y. Hata and P. Johnson	5.00 200.00/hr	1,000.00
5/12/05 Review letter from L. Smith to T. Hogan re: Production of FCS; Exchange email with defense counsel re: Discovery and depositions; Review M. Gurzi Affidavit; Prepare for depositions of Y. Hata, plaintiff and P. Johnson; Review Judge Mollway's orders re: Iowa Telecomm documents and amend scheduling order;	5.00 200.00/hr	1,000.00

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Page 4

	<u>Hrs/Rate</u>	<u>Amount</u>
Exchange emails with defense counsel re: Preparation for depositions; Deposition scheduling and Motions for Summary Judgment; Exchange emails re: Collection action of HEX/HES settlement proceedings; Prepare Motion for Summary Judgment/cross Motion for Summary Judgment		
5/13/05 Prepare for depositions of Y. Hata/P. Johnson and Plaintiff; Review documents; Place telephone call to S. Dunn; Exchange emails with defense counsel re: Discovery and motions	4.00 200.00/hr	800.00
5/14/05 Review P. Johnson documents and prepare for depositions	3.50 200.00/hr	700.00
5/15/05 Prepare for Y: Hata deposition and P. Johnson deposition	2.50 200.00/hr	500.00
5/16/05 Review documents and prepare for depositions of plaintiff P. Johnson and Y. Hata; Meeting with defense counsel	7.00 200.00/hr	1,400.00
5/17/05 Prepare for and attend deposition of Y. Hata; Prepare for plaintiff's deposition	8.50 200.00/hr	1,700.00
5/18/05 Prepare for and attend deposition of plaintiff; Prepare for deposition of expert P. Johnson	10.00 200.00/hr	2,000.00
5/19/05 Prepare for and attend deposition of P. Johnson and continued deposition of Plaintiff	10.50 200.00/hr	2,100.00
5/20/05 Review PCT's letter to Special Master re: Y. Hata documents to be reviewed by expert Dechter; Place	5.00 200.00/hr	1,000.00

Louis J. Price, Esq.

Page 5

	<u>Hrs/Rate</u>	<u>Amount</u>
telephone call to R. Fujichaku re: Status and Guidance's Motion for Summary Judgment; Followup re: Transcripts of deposition; Work on draft of cross-motion for Summary Judgment; Place telephone call to L. Smith re: Status; Review correspondence from Special Master re: Document production		
5/21/05 Exchange emails with defense counsel re: Discovery; Review opening brief to Ninth Circuit in 1993 case; Followup re: Deposition of expert; Work on cross-Motion for Summary Judgment	4.50 200.00/hr	900.00
5/23/05 Exchange emails with Plaintiff's counsel re: Depositions and discovery; Review Special Master order; Exchange email with client; Review exhibits; Prepare Motion for Summary Judgment	3.00 200.00/hr	600.00
5/24/05 Work on cross Motion for Summary Judgment; Review deposition transcripts; Exchange correspondence with defense counsel re: Discovery and motions	4.50 200.00/hr	900.00
5/25/05 Place telephone call to L. Smith re: Status; Place telephone call to D. Capozzola; Reivew documents and exhibits; Research re: Cross Motion for Summary Judgment; Followup re: Expert report; Begin review of deposition testimony	3.50 200.00/hr	700.00
5/26/05 Review documents; Exchange emails with defense counsel and plaintiff; Review M. Walker draft report and prepare for conference call	2.50 200.00/hr	500.00

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Page 6

	<u>Hrs/Rate</u>	<u>Amount</u>
5/27/05 Conference call with L. Smith and R. Mead; Conference call with M. Dillon re: Exhibit 34 and M. Walker report	3.00 200.00/hr	600.00
5/28/05 Exchange email communication with plaintiff and defense counsel re: Discovery	0.80 200.00/hr	160.00
5/29/05 Conference call with L. Smith and D. Capozzola and M. Walker re: Walker declaration and report; Prepare Motion for Summary Judgment	4.00 200.00/hr	800.00
5/30/05 Meeting with M. Dillon; Conference call with D. Capozzola, L. Smith and M. Walker; Review draft of M. Walker report; Work on cross-motion for Summary Judgment	7.00 200.00/hr	1,400.00
5/31/05 Work on cross Motion for Summary Judgment; Exchange correspondence with Plaintiff and defense counsel re: Discovery; Review deposition transcripts	6.00 200.00/hr	1,200.00
 SUBTOTAL:	 [134.50	 27,075.00]
 <u>RM</u>		
5/2/05 Place telephone call to L. Smith confirming conference call; Meet with L. Smith re: Mainland depositions; Conference call with Judge Mollway re: 56(F) motion and dispositive motions deadline; Conference with E. Liebeler and D. Capozzola re: Depositions; Review correspondence between defense counsel re: Deposition of Johnson and Berry; Draft fact section to response to Berry's appeal of Iowa	5.80 125.00/hr	725.00

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Page 7

	<u>Hrs/Rate</u>	<u>Amount</u>
Telecom order; Review correspondence to and from Special Master re: Iowa Telecom documents; Pull exhibits to be attached to response; Draft argument section of response to Berry's appeal; Research re: Digital Millennium Copyright Act; Draft correspondence to M. Dillon re: Exhibit 34 to Berry's affidavit; Place telephone call to M. Dillon re: Berry's affidavit; Create pdf of Berry's affidavit and forward to M. Dillon for review and comment		
5/3/05 Conference call with M. Dillon re: Line items in exhibit 34; Draft memo; Conference call with M. Walker re: Spreadsheet information; Draft T. Noa re: Exhibit 34; Draft response to Berry's appeal re: Iowa Telecom order; Research DMCA, court control of discovery; Shepardize cases cited in opposition; Draft affidavit; Prepare exhibits to be attached to opposition	9.60 125.00/hr	1,200.00
5/4/05 Conference call with M. Dillon and T. Noa re: Exhibit 34; Draft memo re: Same for comment and review by clients; Prepare opposition to Berry's statement of appeal re: Iowa Telecom documents for filing and service; Review notice of appearance of counsel for Alix Partners; Review correspondence from D. Capozzola re: PCT's opposition to Berry's appeal of order re: 2003 FCS; Review opposition and exhibits; Reivew correspondence from L. Smith re: Need info on O/S from M. Dillon;	5.80 125.00/hr	725.00

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Page 8

	<u>Hrs/Rate</u>	<u>Amount</u>
Draft correspondence to M. Dillon re: Installation, backup re: O/S; Review correspondence from D. Capozzola re: Exhibit 27; Create df of exhibit 27; Draft correspondence to M. Dillon re: Explanation of exhibit 27; Review correspondence to S. Dunn re: Expert depositions; Draft memo re: Plaintiff's expert witnesses		
5/6/05 Review correspondence to clients re: Explanation of exhibit 34 and 27; Review comments from T. Noa; Review correspondence to M. Dillon re: Changes made to Berry's database; Review correspondence from D. Capozzola re: Email list of counsel; Review correspondence from D. Capozzola re: Time and date for Y. Hata deposition; Meet with L. Hosoda re: Alix Partners; Prepare key pleadings, order and expert witness info for meeting with J. Komeiji; Meet with J. Komeiji, G. Tom and K. Arikawa re: Background info on case; Review and summarize prior trial testimony and depositions of W. Berry in preparation for deposition; Review prior trial testimony of Professor Johnson	4.20 125.00/hr	525.00
5/9/05 Review correspondence from T. Hogan re: Deposition; Review correspondence from M. Dillon re: Comments about spreadsheets; Review correspondence from D. Capozzola re: Expert and mainland depositions; Review deposition	0.70 125.00/hr	87.50

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Page 9

	<u>Hrs/Rate</u>	<u>Amount</u>
<p> notices re: P. Johnson, T. Ueno, Y. Hata and W. Berry; Review Plaintiff's statement of appeal re: Amended Scheduling Order </p>		
<p> 5/10/05 Review order affirming Magistrate's order adopting Master's order re: Protective order; Review explanations for exhibit 34 and 27 </p>	<p> 0.50 125.00/hr </p>	62.50
<p> 5/11/05 Conference call with D. Capozzola, L. Smith and M. Walker re: Exhibits 34 and 27 to Berry's declaration; Place telephone call to M. Dillon re: Same; Draft correspondence to M. Dillon re: Further explanation on exhibits 34 and 27 needed; Review previous affidavit and testimony of M. Dillon re: Guidance; Draft correspondence to M. Dillon re: Reviewed correspondence from M. Dillon re: Copies of documents; Review correspondence from T. Noa what kind of bill needed; Place telephone call to G. Tom re: Depositions of Johnson, Berry, Y. Hata and T. Ueno </p>	<p> 3.30 125.00/hr </p>	412.50
<p> 5/12/05 Place telephone call to M. Dillon re: Berry's exhibit 34; Review correspondence from M. Dillon re: Matson invoice; Create pdf of Matson invoice; Review correspondence from T. Noa re: Sample bill, invoice; Review correspondence from M. Dillon re: Further explanation to exhibits 34 and 27; Review correspondence from D. Capozzola re: Motion for summary judgment turning on Johnson report; Review orders </p>	<p> 4.60 125.00/hr </p>	575.00

Louis J. Price, Esq.

Page 10

	<u>Hrs/Rate</u>	<u>Amount</u>
affirming master's order re: Iowa Telecom documents and denying Berry's appeal of amended scheduling order; Review correspondence from L. Smith re: FCS 2003; Review correspondence to client re: Data for spreadsheets; Create separate file re: Berry's exhibits 34 and 27 as relied heavily upon by Berry's expert; Prepare for depositions of W. Berry, Professor Johnson and T. Ueno		
5/13/05 Prepare for deposition of W. Berry; Review prior trial and deposition testimony; Review all prior affidavits and declarations; Prepare for deposition to Y. Hata rep; Review correspondence re: Y. Hata; Draft chronology of case in preparation for depositions; Review correspondence from D. Capozzola re: Documents from Berry and Professor Johnson for review prior to depositions; Review correspondence from R. Fujichaku re: Copy of documents produced by Johnson; Review correspondence from M. Dillon re: Further explanation of exhibit 34; Meet with M. Dillon re: Copy of CD of data extracted from spreadsheets; Review correspondence from C. Matsui re: Guidance Software; Review order from Judge Mollway extending Motion for Summary Judgment deadline re: Johnson report to 6/13/05; Place telephone call to S. Dunn re:	6.70 125.00/hr	837.50

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Page 11

	<u>Hrs/Rate</u>	<u>Amount</u>
Summary of W. Berry deposition; Meet with S. Dunn re: Deposition preparation of Professor Johnson and W. Berry		
5/16/05 Review summary of W. Berry's trial testimony; Place telephone call to S. Dunn re: Chronology; Draft correspondence to S. Dunn re: Chronology; Place telephone call to S. Dunn re: Timeline of events prior ro first lawsuit; Review summary of M. Dillon deposition for timeline of events; Review correspondence from M. Dillon re: Spreadsheets; Research re: Analysis and standard to determine substantial similarity and virtual identity; Draft standard of review, fact section, introduction and argument section to counter Motion for Summary Judgment; Review correspondence from A. Lopex re: Johnson documents; Review correspondence from D. Capozzola re: Expert depositions; Review correspondence from L. Smith re: Materials sent to M. Walker; Review correspondence from T. Hogan re: Guidance production; Review correspondence from D. Capozzola re: Scheduling issues, expedited hearing on Guidance issues; Draft correspondence to T. Hogan re: Protective order	7.00 125.00/hr	875.00
5/17/05 Place telephone call to G. Tom re: M. Scott, pleadings in bankruptcy case; Meet with M. Dillon re: Spreadsheets; Meet with M. Walker	12.20 125.00/hr	1,525.00

Louis J. Price, Esq.

Page 12

	<u>Hrs/Rate</u>	<u>Amount</u>
re: Spreadsheets; Meet with L. Smith, L. Hosoda and M. Walker re: Analysis of spreadsheets; Attend 30(b)(6) deposition of Y. Hata		
5/18/05 Attend deposition of W. Berry; Review documents used as exhibits to deposition of W. Berry; Draft correspondence to M. Dillon and T. Noa re: Spreadsheets and external documents for data inputted into spreadsheets	8.20 125.00/hr	1,025.00
5/19/05 Attend deposition of Plaintiff's expert; Attend continued deposition of W. Berry; Meet with M. Walker, A. Lopez, L. Smith and D. Capozzola re: Counter Motion for Summary Judgment, strategy for motions, further depositions	9.00 125.00/hr	1,125.00
5/20/05 Review appellate brief; Review correspondence from D. Capozzola re: Production of documents, rescheduling deposition to T. Ueno after Motion for Summary Judgment; Place telephone call to G. Tom re: Background on case, strategy for counter Motion for Summary Judgment; Place telephone call to client re: External documentation for data inputted into spreadsheets; Review and highlighted key areas of deposition of W. Berry and Professor Johnson for Motion for Summary Judgment; Draft fact and argument section of Motion for Summary Judgment	5.00 125.00/hr	625.00

Louis J. Price, Esq.

Page 13

	<u>Hrs/Rate</u>	<u>Amount</u>
5/23/05 Review correspondence from client re: Spreadsheets, external documents used to input into spreadsheets; Draft correspondence to S. Smith re: Importing data into spreadsheets; Place telephone call to J. Peterson re: Transcript of Berry and Johnson depositions; Review correspondence from D. Capozzola re: Strategy on Motion for Summary Judgment; Draft correspondence to client re: Creation of spreadsheets; Review deposition transcript of W. Berry; Review exhibits from deposition of Professor Johnson	2.30 125.00/hr	287.50
5/24/05 Review Motion for Summary Judgment filed by Guidance since points figure at client for 16 Berry files put back on system after wipe; Review Motion for Summary Judgment order and PI order re: Findings and conclusions by the Court; Draft memo re: Dec from M. Dillon for reply to Berry's opposition to Guidance Motion for Summary Judgment; Review correspondence from D. Capozzola re: Information for J. Kinrich; Review order from C. Matsui re: Future discovery procedures, in camera review of documents; Review correspondence from M. Dillon re: Spreadsheets; Review correspondence from Alii court reporting re: Test copy of Berry deposition transcript	1.80 125.00/hr	225.00
5/25/05 Place telephone call to K. Gold re: Expert report	0.20 125.00/hr	25.00

Louis J. Price, Esq.

Page 14

	<u>Hrs/Rate</u>	<u>Amount</u>
5/26/05 Review correspondence from D. Capozzola re: Walker report; Review Walker report; Meet with L. Hosoda re: Conference call with M. Dillon	0.90 125.00/hr	112.50
5/27/05 Review M. Walker report and exhibits; Conference call with L. Smith and M. Dillon re: Walker report	1.70 125.00/hr	212.50
5/30/05 Review correspondence from D. Capozzola re: Conference call with M. Walker; Review correspondence from M. Dillon re: Creation of spreadsheets, how spreadsheets operate; Review M. Walker's report; Review discovery orders from Special Master; Meet with M. Dillon re: Walker report; Review deposition transcript of Johnson and Berry; Draft fact section of Motion for Summary Judgment; Draft argument section for Motion for Summary Judgment; Conference call with M. Walker, D. Capozzola, and L. Smith re: Suggested changes and questions re: Expert report	8.60 125.00/hr	1,075.00
5/31/05 Review revised expert report; Conference call with M. Walker, D. Capozzola, and L. Smith re: Expert report; Review correspondence from T. Hogan and D. Capozzola re: Rule 26 disclosures; Place telephone call to A. Lopez re: Date and time for Motion for Summary Judgment hearing; Review revised exhibit L to Walker report; Review correspondence from D. Capozzola re: Revised expert report; Review Memo re: Motion for Summary Judgment; Continue drafting Motion	9.40 125.00/hr	1,175.00

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Page 15

	<u>Hrs/Rate</u>	<u>Amount</u>
for Summary Judgment; Review correspondence from S. Dunn re: Summary of Berry deposition; Review correspondence from D. Capozzola re: Executed version of M. Walker's report and all exhibits distributed to all counsel and downloaded for files; Review correspondence to C. Matsui re: Production of electronic version of Berry's list of files; Review revised summary of deposition of W. Berry from first lawsuit; Research re: Exclusive rights under copyright		
SUBTOTAL:	[107.50	13,437.50]
<u>SD</u>		
5/2/05 Prepare documents and summarize trial and deposition for W. Berry and other trial witness (materials from Fleming trial)	5.50 85.00/hr	467.50
Prepare documents and summarize trial and depositions for R. Griffin	5.50 85.00/hr	467.50
5/3/05 Prepare documents and summarize trial and depositions for R. Griffin, E. Ann Leos and J. Kelban	4.00 85.00/hr	340.00
Prepare documents and summarize trial and depositions for E. Ann Leos and J. Kelban	5.00 85.00/hr	425.00
Research re: Berry other litigation filed in Hawaii	3.00 85.00/hr	255.00

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Page 16

	<u>Hrs/Rate</u>	<u>Amount</u>
5/4/05 Prepare documents and summarize trial and depositions for R. Griffin, E. Ann Leos and J. Kelban re: Their depositions	5.00 85.00/hr	425.00
5/5/05 Witness preparation of W. Berry; Create trial binder including transcripts and affidavits and documents including emails produced in both litigations	8.00 85.00/hr	680.00
5/6/05 Witness preparation of W. Berry; Create trial binder including transcripts and affidavits and documents including emails produced in both litigation	8.00 85.00/hr	680.00
5/9/05 Witness preparation for W. Berry and M. Dillon; Summarize documents and transcripts	8.00 85.00/hr	680.00
5/10/05 Trial preparation re: Potential trial exhibits for Dillon and Berry and prepare chronology of events	8.00 85.00/hr	680.00
5/11/05 Witness preparation for W. Berry, pull, summarize documents and transcripts, pleadings (materials from Fleming)	8.00 85.00/hr	680.00
5/12/05 Research background check for expert witness prep for deposition (Johnson, Ueno) include all relevant materials from POD and Fleming case; Create expert trial binder for Johnson and Ueno	8.00 85.00/hr	680.00
5/16/05 Witness prep for W. Berry; Summarize documents and transcripts; Create trial binder and fact chron for Berry	4.00 85.00/hr	340.00

Louis J. Price, Esq.

Page 17

	<u>Hrs/Rate</u>	<u>Amount</u>
5/17/05 Discovery preparation; Review and pull documents produced for potential witness and trial testimony for Berry, Dillon Ueno and Johnson	4.00 85.00/hr	340.00
5/18/05 Review and pull documents produced for potential witness and trial testimony for Berry, Dillon, Ueno and Johnson	5.00 85.00/hr	425.00
Review and pull documents produced for potential witness and trial testimony for Berry, Dillon Ueno and Johnson	5.00 85.00/hr	425.00
5/19/05 Trial preparation; Witness W. Berry, documents and trial testimony summary; Update chronology	6.00 85.00/hr	510.00
5/20/05 Summarize trial testimony in Fleming lawsuit	5.00 85.00/hr	425.00
5/22/05 Trial preparation; Witness W. Berry and experts; Documents and trial testimony summary	8.00 85.00/hr	680.00
5/23/05 Trial preparation; Witness W. Berry and experts; Documents and trial testimony summary	8.00 85.00/hr	680.00
5/24/05 Trial preparation; Witness W. Berry, documents and trial testimony summary 2/25/03	6.00 85.00/hr	510.00
5/25/05 Trial preparation; Deposition summary of W. Berry 2/5/03 deposition transcript	6.00 85.00/hr	510.00

Xerox	266.40
Express One - Hawaii	13.79
Conference call charges from AT&T	255.55
5/5/05 Xerox	0.40
5/10/05 Postage	30.80
Xerox	3.20
Fax	18.00
5/18/05 Transcript from Debra Chun	65.31
5/20/05 Xerox	1.00
Fax	5.00
5/24/05 Professional services rendered by Matsui Chung	709.61

Louis J. Price, Esq.

Page 19

	<u>Amount</u>
SUBTOTAL:	[1,383.01]
Total costs	<u>\$1,383.01</u>
Service tax	<u>\$2,172.88</u>
Total amount of this bill	\$55,713.39
Previous balance	\$72,347.29
5/13/05 Payment - thank you	(\$38,632.74)
5/22/05 Payment - thank you	(\$33,714.55)
Total payments	<u>(\$72,347.29)</u>
Balance due	<u><u>\$55,713.39</u></u>

Lyle S. Hosoda & Associates
 345 Queen St., Ste. 804
 Honolulu HI 96813

Invoice submitted to:
 Louis J. Price, Esq.
 McAfee & Taft
 211 N. Robinson Ave., 10th Floor
 Oklahoma City OK 73102

July 13, 2005

Invoice #11722

Professional services

	<u>Hrs/Rate</u>	<u>Amount</u>
<u>CTC</u>		
6/2/05 Research and pull exhibits for motion	3.50 125.00/hr	437.50
SUBTOTAL:	[3.50	437.50]
<u>KM</u>		
6/2/05 Draft and organize Table of Authorities for Motion for Summary Judgment Motion	1.20 75.00/hr	90.00
6/3/05 Checking case history for Motion for Summary Judgment motion	1.00 75.00/hr	75.00
SUBTOTAL:	[2.20	165.00]

Louis J. Price, Esq.

Page 2

	<u>Hrs/Rate</u>	<u>Amount</u>
<u>LHO</u>		
6/1/05 Review Guidance responses to discovery; Review HEX/HES statements re: Motion for Summary Judgment; Communicate via email with Plaintiff's counsel re: Discovery issues; Email defense counsel re: Discovery issues; Research and draft cross-motion for Summary Judgment; Place telephone call to S. Dunn; Review deposition transcripts	6.00 200.00/hr	1,200.00
6/2/05 Research, draft and finalize cross Motion for Summary Judgment and concise statement of facts; Review drafts of cross Motion for Summary Judgment from PCT and C&S	7.50 200.00/hr	1,500.00
6/3/05 Exchange emails with defense counsel, Plaintiff's counsel; Review correspondence/order from client; Begin review of Summary Judgment motions	3.50 200.00/hr	700.00
6/6/05 Review and exchange correspondence with Plaintiff's counsel re: Concise statement of facts/service thereof; Exchange emails with defense counsel re: Strategy; Place telephone call to Court re: Iowa Telecom documents; Review documents; Strategize re: Additional discovery	4.00 200.00/hr	800.00
6/7/05 Conference call with D. Cappozola, L. Smith and damage experts; Conference call with defense counsel and V. Lumgenelli; Review Motions for Summary Judgment	4.50 200.00/hr	900.00

Louis J. Price, Esq.

Page 3

	<u>Hrs/Rate</u>	<u>Amount</u>
6/8/05 Review Special Master invoice; Review correspondence from Foodland's counsel; Place telephone call to R. Fujichaku re: Guidance Motion for Summary Judgment; Review Plaintiff's declaration to opposition to Guidance Motion for Summary Judgment; Correspondence with client M. Dillon re: Response to same; Research re: T. Ueno prior reports and testimony; Review documents; Correspondence with defense counsel	3.50 200.00/hr	700.00
6/9/05 Begin review of Plaintiff's oppositions to all Cross-Motions for Summary Judgment; Exchange email correspondence with defense counsel re: Discovery; Begin work on reply on Motion for Summary Judgment	5.00 200.00/hr	1,000.00
6/10/05 Review documents and opposition to Motion for Summary Judgment; Place telephone call to M. Dillon; Place telephone call to L. Smith; Email exchange S. Purdy; Work on reply re: Motion for Summary Judgment	3.00 200.00/hr	600.00
6/11/05 Work on reply re: Motion for Summary Judgment	2.00 200.00/hr	400.00
6/12/05 Place telephone call to D. Capozzola and M. Walker re: Reply to Motion for Summary Judgment; Place telephone call to M. Dillon re: Reply to Motion for Summary Judgment; Work on Reply Brief	4.20 200.00/hr	840.00

Louis J. Price, Esq.

Page 4

	<u>Hrs/Rate</u>	<u>Amount</u>
6/13/05 Place telephone calls to L. Smith and D. Capozzola; Place telephone calls to M. Dillon; Review documents; Review discovery; Prepare Reply Brief and opposition	4.50 200.00/hr	900.00
6/14/05 Review C. Matsui order re: Discovery; Reivew AUX partner's reply; Conference call with L. Smith and D. Capozzola; Research and draft Reply brief re: Motion for Summary Judgment; Review oppositions and Reply Briefs for AUX partners, Guidance and PCT; Place telephone calls to D. Capozzola; Work on scheduling; Review order for Special Master re: Discovery; Review documents produced to M. Gerston; Place telephone calls to M. Dillon; Draft letters to clients	6.50 200.00/hr	1,300.00
6/15/05 Communicate with defense counsel; Work on securing background on T. Ueno; Review and finalize Reply re: Motion for Summary Judgment; Review M. Walker report and PCT's Reply	5.00 200.00/hr	1,000.00
6/16/05 Conference call with L. Smith and D. Capozzola re: Computers; Place telephone call to M. Dillon re: Computers; Review Motion for Summary Judgment/Reply; Prepare for hearing on Motions for Summary Judgment; Review documents; Place telephone call to L. Smith	4.00 200.00/hr	800.00
6/17/05 Place telephone call to L. Smith re: Status; Prepare for Motion for Summary Judgment hearing; Review Judge Mollway inclinations re:	5.00 200.00/hr	1,000.00

Louis J. Price, Esq.

Page 5

	<u>Hrs/Rate</u>	<u>Amount</u>
Motions for Summary Judgment; Prepare for hearing on Motion for Summary Judgment; Exchange email correspondence with defense counsel		
6/18/05 Review and prepare for hearing on Motions for Summary Judgment; Meeting with E. Liebler	4.00 200.00/hr	800.00
6/19/05 Review documents; Prepare for hearing; Meeting with defense counsel	3.50 200.00/hr	700.00
6/20/05 Review Kingrich report; Review Guidance file and production of documents and letter to Special Master; Review letter from Plaintiff's counsel re: Good faith settlement with HEX/HES; Meeting with defense counsel to prepare for hearing on Motion for Summary Judgment; Prepare for and attend Summary Judgment hearing before Judge Mollway; Review hearing and debrief with defense counsel	6.00 200.00/hr	1,200.00
6/21/05 Review Special Master report; Review correspondence re: HEX/HES settlement; Draft status letter to client; Place telephone call to L. Smith; Work on T. Ueno reports	3.50 200.00/hr	700.00
6/22/05 Exchange emails with defense counsel; Followup re: HES settlement; Prepare for T. Ueno deposition	2.00 200.00/hr	400.00
6/23/05 Exchange emails with defense counsel; Followup and research re: T. Ueno deposition preparation and former depositions	1.50 200.00/hr	300.00

Louis J. Price, Esq.

Page 6

	<u>Hrs/Rate</u>	<u>Amount</u>
6/24/05 Work on T. Ueno deposition; Exchange email correspondence with defense counsel; Place telephone call to L. Smith re: Status	2.20 200.00/hr	440.00
6/25/05 Review discovery; Review counsel correspondence; Review documents; Exchange email correspondence	1.20 200.00/hr	240.00
6/27/05 Research and do background on T. Ueno for deposition	3.00 200.00/hr	600.00
6/28/05 Place telephone calls to R. Mead and L. Smith; Review Judge Mollway's order; Prepare for T. Ueno deposition; Communicate with clients; Communicate with defense counsel re: Ruling and discovery	1.70 200.00/hr	340.00
6/30/05 Prepare for T. Ueno deposition; Exchange correspondence with defense counsel	0.80 200.00/hr	160.00
 SUBTOTAL:	 [97.60	 19,520.00]
 RM		
6/1/05 Place telephone call to K. Gold re: Information needed for damages report; Place telephone call to M. Dillon re: Time and level of effort spent creating spreadsheets, reverting back to original FCS; Draft correspondence to L. Smith re: Client's concern over queries; Review correspondence from client re: Time spent on spreadsheets and reverting back to original FCS; Review letter brief from D. Capozzola re: Guidance materials; Review letter brief from T. Hogan	15.60 125.00/hr	1,950.00

Louis J. Price, Esq.

Page 7

	<u>Hrs/Rate</u>	<u>Amount</u>
re: Same; Review correspondence from D. Capozzola re: Walker report; Research issue of analytic dissection; Draft Motion for Summary Judgment		
6/2/05 Draft argument section of Motion for Summary Judgment; Draft Concise statement of facts; Review and revise Motion for Summary Judgment and CSF; Prepare exhibits to CSF; Prepare Motion for Summary Judgment and Concise statement for filing and service	9.60 125.00/hr	1,200.00
6/3/05 Review correspondence from T. Hogan re: Service of motions; Review correspondence to T. Hogan re: Deposition of M. Walker; Review correspondence from L. Smith re: Motion for Summary Judgment and CSF; Review PCT's Motion for Summary Judgment; Review C&S's Motion for Summary Judgment and CSF; Review Alix Partners' Motion for Summary Judgment and CSF; Review Guidance opposition to Motion for Summary Judgment; Review correspondence from client re: Spreadsheets; Place telephone call to USDC clerk re: Filing and docketing of Motion for Summary Judgment and CSF; Draft correspondence to L. Smith and D. Capozzola re: Need to file Walker report under seal; Draft ex parte motion to seal Walker report; Draft Affidavit of counsel; Prepare ex parte motion for service and filing; Draft	4.30 125.00/hr	537.50

Louis J. Price, Esq.

Page 8

	<u>Hrs/Rate</u>	<u>Amount</u>
correspondence to all counsel re: Ex parte motion to seal Walker report, will serve copies of motion and CSF after court approves		
6/6/05 Place telephone call to K. Gold re: Responses to questions re: Spreadsheets; Correspondence to D. Capozzola, L. Smith and M. Dillon re: Conference call with damages expert; Correspondence to M. Dillon confirming conference call; Review correspondence and spreadsheet of explanation from M. Dillon; Place telephone call to R. Fujichaku re: Followup on on ex parte motion; Review correspondence from T. Hogan to Judge Mollway re: Service of Motions, status conference; Review correspondence from L. Smith and D. Capozzola re: Wait and see; Review correspondence from L. Hosoda re: Deposition of M. Walker; Review correspondence and summary from S. Dunn re: Berry's testimony from first trial; Review filed exparte motion; Prepare counter Motion for Summary Judgment and CSF with Exhibit "C" filed under seal, ex parte motion for service; Create trial binder re: Berry prior trial and deposition testimony	3.10 125.00/hr	387.50
6/7/05 Place telephone call to clerk of the court re: Ex parte motion and filing document under seal, need to file redacted version of CSF; Place telephone call to K. Gold confirming conference call; Review correspondence to and from D. Capozzola re: Conference call re:	3.50 125.00/hr	437.50

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Page 9

	<u>Hrs/Rate</u>	<u>Amount</u>
Guidance and turnover of files requested by T. Hogan; Place telephone call to clerk of court re: Do not need to filed redacted CSF; Review correspondence from D. Capozzola re: Errata sheeet re: CSF #11; Place telephone call to A. Lopez re: Mailed copies of MSJ and CSF to K&E; Conference call with D. Capozzola, J. Kinrich, K. Gold and L. Smith re: Profitability of FCS; Meeting with client re: Spreadsheets, discovery; Conference call with D. Capozzola, L. Smith, O. Samad, and V. Limongelli re: Files on Guidance images; Review correspondence from D. Capozzola re: Action items re: Guidance discovery; Place telephone call to G. Tom re: Guidance images, counter Motions for Summary Judgment, deposition of M. Walker did no go forward		
6/8/05 Review correspondence from L. Smith and D. Capozzola re: Information on T. Ueno in preparation for deposition; Review correspondence from V. Limogelli re: Letter to Matsui requesting clarification of order and payment for services; Review correspondence from D. Capozzola re: Hearing on Motions for Summary Judgment; Review T. Ueno report's list of cases; Review correspondence to S. Dunn re: Research on cases Ueno testified in	0.70 125.00/hr	87.50

Louis J. Price, Esq.

Page 10

	<u>Hrs/Rate</u>	<u>Amount</u>
6/8/05 Review correspondence to M. Dillon re: Review of Berry dec re: Guidance images; Review Berry dec for discrepancies claimed by Berry	0.40 125.00/hr	50.00
6/9/05 Review correspondence from D. Capozzola re: Guidance; Review correspondence from C. Matsui re: Special Master fees incurred; Review correspondence from L. Colombe re: Foodland not responsible for Special Master fees; Review Berry's response to counter Motions for Summary Judgment; Review Berry's and Johnson's declarations; Place telephone call to S. Dunn re: CV of T. Ueno for research on other cases; Review Guidance's Reply in support of Summary Judgment	2.80 125.00/hr	350.00
6/10/05 Review Plaintiff's oppositions to all counter Motions for Summary Judgment filed by defendants; Review correspondence from T. Hogan re: Guidance materials	3.40 125.00/hr	425.00
6/13/05 Place telephone call to G. Tom re: Reply in support of counter Motions for Summary Judgment, hearing on Motions for Summary Judgment; Review correspondence from D. Capozzola re: Reply memorandum, strategy; Review correspondence from L. Smith re: Addition of case law; Draft correspondence to M. Dillon re: Need help on declaration; Place telephone call to M. Dillon re: Declaration; Conference call with all counsel re: Reply memorandum; Place telephone call to D. Capozzola re: Deadline to file	6.50 125.00/hr	812.50

Louis J. Price, Esq.

Page 11

	<u>Hrs/Rate</u>	<u>Amount</u>
reply; Place telephone call to L. Smith re: Deadline to file reply; Review correspondence and settlement documents, stipulation re: Good faith from E. Reber Porter; Place telephone call to G. Tom re: Good faith settlement with Plaintiff; Place telephone call to L. Smith re: Good faith settlement between HEX and Plaintiff; Review correspondence from D. Capozzola re: Reply; Review draft Reply; Research re: Analysis when there is direct evidence of copying; Draft reply in support of counter Motion for Summary Judgment		
6/14/05 Place telephone call to M. Dillon re: Queries for "Buers" and "AP Terms" tables; Draft correspondence to D. Capozzola re: Queries; Review supplemental report of M. Walker; Draft Reply in support of counter Motion for Summary Judgment	5.60 125.00/hr	700.00
6/15/05 Revise and finalize Reply in support of Motion for Summary Judgment; Review correspondence from L. Smith re: C&S reply; Review correspondence from D. Capozzola re: PCT reply; Pull research cited by Berry in opposition	5.00 125.00/hr	625.00
6/16/05 Place telephone call to G. Tom re: Hearing on Monday, Mollway's inclinations; Review correspondence from D. Capozzola re: Hard drives; Conference call with M. Dillon, L. Smith and D.	1.00 125.00/hr	125.00

Louis J. Price, Esq.

Page 12

	<u>Hrs/Rate</u>	<u>Amount</u>
Capozzola re: Hard drives as backups; Place telephone call to L. Smith re: Preparation for Motion for Summary Judgment hearing		
6/17/05 Review order granting Summary Judgment to Alix Partners; Place telephone call to G. Tom re: order granting Alix Partners Summary Judgment and remaining defendants; Review Judge Mollway's inclinations; Meet with L. Hosoda re: Oral arguments	0.90 125.00/hr	112.50
6/18/05 Review inclinations from Judge Mollway; Pull and brief cases cited by Judge Mollway; Pull and brief cases used in support of Motion for Summary Judgment and key cases cited by Defendant; Draft memo re: Notice of infringement to defendants came after moved to spreadsheets; Draft memo re: Response to Court's questions in inclinations; Draft memo timeline of three Motions for Summary Judgment filed on behalf of clients and Johnson report	4.20 125.00/hr	525.00
6/19/05 Preapre for hearing on Motions for Summary Judgment; Meet with D. Capozzola, E Liebeler, S. Danna, L. Smith, M. Walker, A. Lopez and L. Hosoda re: Strategy on oral arguments for Motions for Summary Judgment	4.50 125.00/hr	562.50
6/20/05 Prepare for oral arguments; Meet with clients before Motions for Summary Judgment hearing; Attend Hearing; Meet with clients to debrief after Motion for Summary Judgment hearing; Place telephone	6.90 125.00/hr	862.50

Louis J. Price, Esq.

Page 13

	<u>Hrs/Rate</u>	<u>Amount</u>
call to T. Noa re: Hearing; Place telephone call to G. Tom re: Judge Mollway took matter under advisement; Place telephone call to S. Dunn re: Hearing; Review list of cases T. Ueno retained as expert witness; Deposition preparation of T. Ueno; Begin drafting letter to clients re: Hearing		
6/21/05 Review correspondence from L. Smith and D. Capozzola re: Information for T. Ueno deposition; Draft correspondence to D. Capozzola re: Transcript of hearing; Review correspondence from V. Limongelli re: Exhibit A executed by Pavan re: Guidance images; Summary and strategy letter to client re: Motion for Summary Judgment	1.70 125.00/hr	212.50
6/22/05 Review correspondence from L. Smith re: Deposition and information on T. Ueno from other cases; Review correspondence re: Transcript of Hearing; Review correspondence from L. Smith re: HEX's motion for good faith settlement	0.30 125.00/hr	37.50
6/23/05 Review correspondence from D. Capozzola re: Hearing transcript; Review correspondence from L. Smith re: Berry's father's judgment; Review correspondence to S. Dunn re: Ueno deposition information; Review correspondence from D. Capozzola re: Case schedule; Review correspondence	1.40 125.00/hr	175.00

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Page 14

	<u>Hrs/Rate</u>	<u>Amount</u>
from L. Smith re: Production of Guidance files for attorneys eyes only, not Berry; Research re: Damages		
6/24/05 Review correspondence from S. Dunn re: Summaries of trial testimony and review summaries; Place telephone call to S. Dunn re: Status on Ueno deposition preparation; Place telephone call to G. Tom re: Kinrich report	0.80 125.00/hr	100.00
6/27/05 Review correspondence from L. Smith re: Will sign off on Good faith settlement, stipulation; Place telephone call to G. Tom re: Good faith settlement	0.30 125.00/hr	37.50
6/28/05 Review Summary Judgment order; Review correspondence from L. Smith re: Stipulation to Good faith settlement; Review Plaintiff's ex parte motion to shorten time for hearing on motion for Good faith and for leave to file settlement under seal	0.70 125.00/hr	87.50
6/29/05 Review correspondence from C. Matsui re: Apportionment of fees amongst defendatns; Place telephone call to G. Tom re: Motion for Summary Judgment order, damages claim	0.40 125.00/hr	50.00
6/30/05 Review correspondence from D. Capozzola re: Deposition of T. Ueno and Motion for Damages; Review correspondence from L. Smith re: Trial on damages, move for partial Summary Judgment	0.20 125.00/hr	25.00

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Page 15

	<u>Hours</u>	<u>Amount</u>
SUBTOTAL:	[83.80	10,475.00]
<u>SD</u>		
6/1/05 Witness preparation; Prepare documents and summarize trial and depositions for W. Berry and other trial witnesses	8.50 85.00/hr	722.50
6/2/05 Witness preparation; Prepare documents and summarize trial and depositions for W. Berry and other trial witnesses	8.50 85.00/hr	722.50
6/3/05 Witness preparation; Prepare documents and summarize trial and depositions for W. Berry and other trial witnesses	8.00 85.00/hr	680.00
6/6/05 Witness preparation; Prepare documents and summarize trial and depositions for W. Berry and other trial witnesses	8.00 85.00/hr	680.00
6/7/05 Witness preparation; Prepare documents and summarize trial and depositions for W. Berry and other trial witnesses	8.00 85.00/hr	680.00
6/8/05 Witness preparation; Prepare documents and summarize trial and depositions for Dillon and other trial witnesses	6.00 85.00/hr	510.00
6/13/05 Witness preparation; Prepare documents and summarize trial and depositions for W. Berry and other trial witnesses	8.00 85.00/hr	680.00
6/14/05 Witness preparation; Prepare documents and summarize trial and depositions for W. Berry and other trial witnesses	8.00 85.00/hr	680.00

Louis J. Price, Esq.

Page 16

	<u>Hrs/Rate</u>	<u>Amount</u>
6/15/05 Witness preparation; Prepare documents and summarize trial and depositions for W. Berry and other trial witnesses	8.00 85.00/hr	680.00
6/16/05 Witness preparation; Prepare documents and summarize trial and depositions for W. Berry and other trial witnesses	8.00 85.00/hr	680.00
6/17/05 Witness preparation; Prepare documents and summarize trial and depositions for Borji and other trial witnesses	8.00 85.00/hr	680.00
6/20/05 Witness preparation; Prepare documents and summarize trial and depositions for Expert witnesses	6.00 85.00/hr	510.00
6/21/05 Witness preparation; Prepare documents and summarize trial and depositions for Expert witnesses and other trial witnesses	6.00 85.00/hr	510.00
 SUBTOTAL:	 [99.00	 8,415.00]
 For professional services rendered	 286.10	 \$39,012.50
 Additional charges:		
<u>LHO</u>		
5/31/05 Professional services rendered by Live Note deposition of Philip Johnson taken on 5/19/05		438.10
Professional services rendered by Live Note Deposition of Wayne Berry Vol 1 taken on 5/18/05		567.30

Louis J. Price, Esq.

Page 17

	<u>Amount</u>
5/31/05 Professional services rendered by Live Note deposition of Brian Marting taken on 5/17/05	438.10
Professional services rendered by Live Note deposition of Wayne Berry vol 2 taken on 5/19/05	487.55
6/2/05 Xerox	96.80
Fax	9.00
Fax	88.00
6/3/05 Postage	24.60
Xerox	8.00
6/6/05 Xerox	2.00
Xerox	22.20
Fax	24.00
6/7/05 Fax	23.00
Professional services renderd by Clyde Matsui Special Master	2,977.95
6/8/05 Postage	23.20
Xerox	135.60
Fax	37.00
6/9/05 New Tech Imaging	221.40
6/14/05 Postage	2.96
Xerox	0.40

Louis J. Price, Esq.

Page 18

	<u>Amount</u>
6/15/05 Postage	3.87
Xerox	57.20
6/16/05 Postage	10.32
Xerox	34.00
6/17/05 Xerox	4.60
Fax	12.00
6/21/05 Postage	4.80
Xerox	18.40
6/22/05 Xerox	10.40
6/28/05 Xerox	16.40
Fax	82.00
6/29/05 Xerox	2.40
 SUBTOTAL:	 [5,883.55]
 Total costs	 \$5,883.55
Service tax	\$1,625.26
Total amount of this bill	\$46,521.31
Previous balance	\$55,713.39
Balance due	<u>\$102,234.70</u>

Lyle S. Hosoda & Associates
 345 Queen St., Ste. 804
 Honolulu HI 96813

Invoice submitted to:
 Louis J. Price, Esq.
 McAfee & Taft
 211 N. Robinson Ave., 10th Floor
 Oklahoma City OK 73102

August 9, 2005

Invoice # 11738

Professional services

	<u>Hrs/Rate</u>	<u>Amount</u>
<u>LHO</u>		
7/1/05 Place telephone call to L. Smith; Work on discovery; Review Order; Communicate with defense counsel	1.20 200.00/hr	240.00
7/4/05 Review Motion for Good Faith Settlement; Review Court Order; Review discovery requests and status of case	1.30 200.00/hr	260.00
7/5/05 Review correspondence from Special Master; Exchange correspondence with defense counsel; Work on T. Ueno deposition preparation	0.80 200.00/hr	160.00
7/6/05 Review emails from Plaintiff and defense counsel; Conference call with L. Smith and M. Dillon re: Motion for Reconsideration	1.20 200.00/hr	240.00

Louis J. Price, Esq.

Page 2

	<u>Hrs/Rate</u>	<u>Amount</u>
7/7/05 Review Plaintiff's letter re: Attorneys eyes only designation; Prepare for meeting with Special Master; Place telephone calls to L. Smith and M. Dillon; Exchange correspondence with defense counsel	2.20 200.00/hr	440.00
7/8/05 Review T. Ueno documents; Exchange email correspondence with M. Dillon re: Computers and discovery; Exchange email correspondence with defense counsel; Meeting with defense counsel, Plaintiff's counsel and Special Master	2.20 200.00/hr	440.00
7/9/05 Review documents and prepare for T. Ueno deposition; Exchange emails; Prepare response to Special Master	3.00 200.00/hr	600.00
7/11/05 Exchange emails with defense counsel; Prepare for T. Ueno deposition; Prepare correspondence for Special Master	1.60 200.00/hr	320.00
7/12/05 Prepare for T. Ueno deposition; Place telephone call to L. Smith; Review and exchange email correspondence with defense counsel	1.50 200.00/hr	300.00
7/13/05 Review Motion for Reconsideration; Exchange email correspondence with defense counsel; Research response	1.70 200.00/hr	340.00
7/14/05 Exchange correspondence with defense counsel re: Discovery; Conference call with M. Dillon; Prepare for T. Ueno deposition; Work on Motion for Reconsideration	2.00 200.00/hr	400.00

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Page 3

	<u>Hrs/Rate</u>	<u>Amount</u>
7/15/05 Place telephone call to M. Dillon; Place telephone call to D. Capozzolla; Place telephone call to L. Smith; Review and exchange email correspondence; Review Motion re: Dillon's right to review Plaintiff's Motion for Reconsideration; Prepare for T. Ueno deposition	1.70 200.00/hr	340.00
7/16/05 Review Motion for Reconsideration and status	1.70 200.00/hr	340.00
7/17/05 Work on T. Ueno deposition preparation and opposition to Motion for Reconsideration	2.50 200.00/hr	500.00
7/18/05 Place telephone call to L. Smith; Place telephone call to M. Matsui; Exchange correspondence; Place telephone call to M. Dillon; Exchange correspondence re: Opposition to Motion for Reconsideration	2.70 200.00/hr	540.00
7/19/05 Exchange email correspondence with defense counsel; Review Special Master order; Place telephone call to M. Dillon; Work on opposition to motion for reconsideration and deposition of T. Ueno	4.50 200.00/hr	900.00
7/20/05 Research and prepare opposition to motion for reconsideration; Review documents and prepare for T. Ueno deposition; Review and exchange email correspondence with defense counsel; Place telephone call to L. Smith; Place telephone call to M. Dillon	5.00 200.00/hr	1,000.00

Louis J. Price, Esq.

Page 4

	<u>Hrs/Rate</u>	<u>Amount</u>
7/21/05 Review documents and prepare for deposition of T. Ueno; Place telephone call to M. Dillon; Conference call with L. Smith, M. Dillon and D. Capozzola re: Decl for opposition to Motion for Reconsideration; Review Opposition	4.50 200.00/hr	900.00
7/22/05 Prepare and attend deposition of T. Ueno	5.00 200.00/hr	1,000.00
7/25/05 Review and exchange email correspondence with defense counsel	0.80 200.00/hr	160.00
7/26/05 Review and exchange emails with defense counsel re: Reply memo motion to reconsider and M. Dillon's documents on Guidance images; Work with M. Dillon re: Recollection re: Computer transition and Guidance images; Review status of discovery and document dates for Motion for Summary Judgment	2.70 200.00/hr	540.00
7/27/05 Review T. Ueno deposition; Place telephone call to M. Dillon and L. Smith re: Review of Plaintiff's reply; Exchange email with defense counsel re: M. Dillon's transition on computers	2.50 200.00/hr	500.00
7/28/05 Review stipulated injunction order; Conference call with L. Smith and M. Dillon re: Changes to database; Review changes to database program made by M. Dillon; Review and exchange emails with defense counsel re: Changes made by M. Dillon; Prepare for sur-rebuttal memo re: Motion for Reconsideration	4.20 200.00/hr	840.00

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Page 5

	<u>Hrs/Rate</u>	<u>Amount</u>
7/29/05 Begin work on Motion for Summary Judgment re: Damages; Place telephone call to L. Smith; Place telephone call to M. Dillon; Review PCT opposition re: Motion for Reconsideration	2.70 200.00/hr	540.00
7/30/05 Review Order Granting Plaintiff right to file consolidated reply memo re: Motion for Reconsideration; Review correspondence to Special Master; Review and exchange email with defense counsel; Review T. Ueno deposition in preparation for draft of Motion for Summary Judgment	2.20 200.00/hr	440.00
 SUBTOTAL:	 [61.40	 12,280.00]
<u>RM</u>		
7/1/05 Review correspondence from D. Capozzola re: Strategy following Motion for Summary Judgment; Review correspondence from L. Smith re: Settlement; Review correspondence from L. Smith re: Statutory damages	0.40 125.00/hr	50.00
Research issue of statutory damages for Motion for Summary Judgment on damages	1.40 125.00/hr	175.00
7/5/05 Draft letter to client re: Summary Judgment order	0.50 125.00/hr	62.50
Place telephone call to S. Dunn re: Deposition of T. Ueno	0.20 125.00/hr	25.00

Louis J. Price, Esq.

Page 6

	<u>Hrs/Rate</u>	<u>Amount</u>
7/5/05 Review correspondence from C. Matsui re: Status conference; Research issue of damages in preparation for T. Ueno deposition and partial Summary Judgment motion on damages	2.80 125.00/hr	350.00
7/6/05 Review correspondence from T. Hogan and pdf files re: Screen shots of Guidance "after" images; Review testimony referenced in T. Hogan's correspondence in preparation for status conference with C. Matsui; Strategize on Plaintiff's basis for Motion for Reconsideration of 6/27/05 Summary Judgment order	1.10 125.00/hr	137.50
7/7/05 Review correspondence from L. Smith re: Guidance after images; Review correspondence from D. Capozzola re: Berry's father's judgment	0.20 125.00/hr	25.00
7/8/05 Review correspondence from L. Smith re: Berry's publication of Guidance "after" images designated as attorneys eyes only; Review correspondence from D. Capozzola re: Expert discovery; Review correspondence from M. Dillon re: Spreadsheets; Review correspondence from D. Capozzola re: Expert documents; Review correspondence from A. Lopez re: Expert deposition, expert's working files; Attend status conference with C. Matsui; Meet with L. Smith re: Strategy; Place telephone call to M. Dillon re: Strategy following Motion for Summary Judgment	2.10 125.00/hr	262.50

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Page 7

	<u>Hrs/Rate</u>	<u>Amount</u>
7/9/05 Review correspondence from A. Lopez re: Subpoena for T. Ueno; Review correspondence between D. Capozzola and T. Hogan re: Expert discovery; Review correspondence from D. Capozzola re: Motion for fees; Review local rules re: Motion for fees and costs; Draft memo	0.70 125.00/hr	87.50
7/11/05 Review correspondence from T. Hogan re: What is left to do re: Special Master; Review correspondence from D. Capozzola re: Response; Review correspondence from M. Dillon re: Hard drives; Review correspondence from L. Smith re: Letter to C. Matsui no relevance to T. Hogan's new claims; Review correspondence from D. Capozzola re: Conference call re: Guidance after images; Review correspondence from T. Hogan re: Financial documents from PCT; Review correspondence from D. Capozzola re: Same	0.50 125.00/hr	62.50
Conference call with D. Capozzola and L. Smith re: Guidance images	0.70 125.00/hr	87.50
7/12/05 Review correspondence from L. Smith re: Inadvertent disclosure of privileged documents; Review correspondence from D. Capozzola re: Same; Review correspondence from T. Hogan re: Settlement offer; Review Plaintiff's motion for reconsideration; Research standard for reconsideration; Draft outline of opposition	2.30 125.00/hr	287.50

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Page 8

	<u>Hrs/Rate</u>	<u>Amount</u>
7/13/05 Review correspondence from D. Capozzola re: Need to followup with M. Dillon; Draft outline of opposition; Draft shell of motion for reconsideration; Review prior affidavit of clients and deposition of M. Dillon	1.90 125.00/hr	237.50
7/14/05 Review correspondence from D. Capozzola re: Guidance after images; Review correspondence from L. Smith re: Opposition to reconsideration motion; Conference call with D. Capozzola, L. Smith and M. Dillon re: Spreadsheets; Conference call with D. Capozzola, L. Smith re: Need to file motion to C. Matsui to allow M. Dillon to view reconsideration motion; Conference call with D. Capozzola, L. Smith and M. Dillon re: FHL data.mdb; Draft correspondence to client re: Spreadsheets; Review correspondence from client re: Same; Draft introduction to opposition to reconsideration motion; Review 12/23/03 deposition of M. Dillon	2.70 125.00/hr	337.50
7/15/05 Meet with L. Hosoda re: Opposition to reconsider motion; Conference call to L. Smith re: Joinder to motion to Matsui re: Letting Dillon see motion and files; Strategize on opposition to reconsider motion; Review PCT and C&S motion to permit Dillon to review reconsideration motion; Draft joinder to motion; Prepare motion for service on parties and C. Matsui; Create pdf of joinder and transmitted to counsel via email; Draft intro to opposition	2.70 125.00/hr	337.50

Louis J. Price, Esq.

Page 9

	<u>Hrs/Rate</u>	<u>Amount</u>
to reconsider motion to incorporate filing of motion with C. Matsui; Draft standard of review; Draft argument of opposition to reconsider; Review PCT Motion for Summary Judgment		
7/18/05 Review correspondence from L. Smith re: Motion for Dillon to see reconsideration motion; Review 12/03 deposition of M. Dillon; Review 9/04 affidavit of M. Dillon; Draft opposition to reconsideration motion; Research standard for reconsideration; Place telephone call to M. Dillon re: 12-03 deposition testimony	3.30 125.00/hr	412.50
Research re: What constitutes copy, use for infringement purposes; Review correspondence from M. Dillon re: Motion for Reconsideration; Review correspondence to M. Dillon re: Request patience and will let him know when need assistance	1.70 125.00/hr	212.50
7/19/05 Review outline of PCT opposition to reconsider motion; Review correspondence from L. Smith re: Keep logistics server separate from C&S network until after appeals exhausted; Reivew documents produced by T. Ueno in preparation for deposition; Prepare for deposition of T. Ueno; Place telephone call to A. Lopez re: Protective order, case management; Draft correspondence to client re: Protective order; Place telephone call to client re: Protective order; Create pdf file of Exhibit A executed by client;	5.40 125.00/hr	675.00

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Page 10

	<u>Hrs/Rate</u>	<u>Amount</u>
Conference call with L. Smith, D. Capozzola and M. Walker re: Database; Place telephone call to M. Dillon re: Database; Research issue of newly discovered evidence for purposes of reconsideration; Revise standard of review section of opposition to reconsider motion; Revise introduction section of reconsider motion; Review correspondence from O. Samad re: Entry of judgment re: Fee and costs; Review correspondence from D. Capozzola re: Collection on Berry's father's judgment; Review correspondence from L. Smith re: Protective order; Review correspondence from T. Hogan re: Inadvertent disclosure of privileged material; Review correspondence from C. Matsui re: No authority to rule on motion; Draft correspondence to client re: Server		
7/20/05 Review correspondence from D. Capozzola re: Berry's father's judgment; Review correspondence from T. Hogan re: Protective order executed by M. Dillon; Review correspondence from D. Capozzola re: Draft opposition; Draft opposition to reconsider motion; Place telephone call to L. Smith re: Reconsider motion; Place telephone call to M. Dillon re: Reconsider motion; Review correspondence from D. Capozzola re: Will participate in deposition of T. Ueno by phone; Review	1.80 125.00/hr	225.00

Louis J. Price, Esq.

Page 11

	<u>Hrs/Rate</u>	<u>Amount</u>
correspondence from D. Capozzola re: Guidance images; Review correspondence from M. Dillon re: Date moved to spreadsheets		
7/21/05 Conference call with M. Dillon re: Guidance images; Place telephone call to L. Smith re: Need for dec from M. Dillon; Deposition of T. Ueno; Place telephone call to M. Dillon re: Review draft dec; Place telephone call to M. Dillon re: Comment on draft dec; Conference call with M. Dillon and L. Smith re: Dec; Revise dec; Place telephone call to M. Dillon re: Will sign and drop off tomorrow; Review comments from M. Dillon re: Reconsider motion; Draft opposition to Motion to Reconsider, incorporate M. Dillon dec, Walker report	7.20 125.00/hr	900.00
7/22/05 Review PCT opposition; Meeting with M. Dillon re: Dec; Draft correspondence to L. Smith and D. Capozzola re: Copy of reviewed supplemental expert report of M. Walker; Draft opposition to Motion to Reconsider; Draft ex parte motion to file under seal; Prepare opposition and motion to file under seal for filing and service; Place telephone call to A. Lopez re: Filing under seal; Place telephone call to D. Capozzola re: Same; Review Guidance no position; Review C&S opposition to motion	7.40 125.00/hr	925.00
7/25/05 Review correspondence from D. Capozzola re: Opposition to reconsider motion	0.20 125.00/hr	25.00

Louis J. Price, Esq.

Page 12

	<u>Hrs/Rate</u>	<u>Amount</u>
7/26/05 Review correspondence from D. Capozzola; Review correspondence from T. Hogan re: Guidance images, waived privilege; Conference call with L. Smith and M. Dillon re: Tables in original logistics vs. tables in FCS logistics; Review correspondence from D. Capozzola re: Request permission to file surreply; Review pdf of table comparisons of two databases	1.30 125.00/hr	162.50
7/27/05 Review deposition of T. Ueno; Review correspondence from M. Dillon re: Spreadsheets; Draft outline for motion on damages	1.40 125.00/hr	175.00
7/28/05 Review PCT's objections, opposition to motion for reconsideration, Dr. Walker's supplemental report; Conference call with M. Dillon, L. Smith re: Queries and table, importance of opposing motion for reconsideration	1.40 125.00/hr	175.00
7/29/05 Review correspondence from B. Sakamoto re: PCT documents; Review correspondence from D. Capozzola re: Response to Guidance letter and T. Hogan re: Ex parte motion re: Reply; Review correspondence from L. Smith re: Same; Research filing surreply, request permission from court; Review correspondence from client re: Queries fall under fair use doctrine	1.00 125.00/hr	125.00
 SUBTOTAL:	 [52.30	 6,537.50]

Louis J. Price, Esq.

Page 13

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	113.70	\$18,817.50
Additional charges:		
<u>LHO</u>		
7/5/05 Postage		15.84
Xerox		75.60
7/13/05 Postage		3.95
Xerox		21.80
7/15/05 Postage		1.80
Xerox		10.80
7/19/05 Xerox		0.40
7/21/05 Stephen B. Platt transcript		244.06
7/22/05 Xerox		52.80
Postage		3.85
Xerox		15.60
7/24/05 Deposition upon written questions of Thomas Ueno, CPA taken on 7/18/05		40.94
7/27/05 Postage		6.14
Xerox		38.60
SUBTOTAL:		[532.18]
Total costs		\$532.18
Service tax		\$783.94

Louis J. Price, Esq.

Page 14

	<u>Amount</u>
Total amount of this bill	\$20,133.62
Previous balance	\$102,234.70
7/24/05 Payment - thank you	(\$55,713.39)
8/3/05 Payment - thank you	(\$46,521.31)
Total payments	<u>(\$102,234.70)</u>
Balance due	<u>\$20,133.62</u>